

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:16-cv-00295

CRYSTAL ESCHERT,

Plaintiff,

v.

CITY OF CHARLOTTE,

Defendant.

**PLAINTIFF'S MOTION FOR TREBLE  
DAMAGES UNDER THE NORTH  
CAROLINA RETALIATORY  
EMPLOYMENT DISCRIMINATION  
ACT**

Crystal Eschert ("Plaintiff"), pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, respectfully submits this Motion for Treble Damages on the jury's verdict on Plaintiff's claim for retaliatory discharge under the North Carolina Retaliatory Employment Discrimination Act ("REDA"), N.C. Gen. Stat. § 95-240, *et seq.*, Count IV of the Amended Complaint (Doc. 24)/Question Three of the Verdict Form.

On May 11, 2017, after six days of trial and a full day of deliberation, a unanimous jury found that: (1) Defendant City of Charlotte's ("Defendant") termination of Plaintiff's employment was motivated by Plaintiff's complaints of health and safety concerns related to 1517 North Graham Street building; (2) Defendant's termination of Plaintiff was in retaliation for her complaints about the building; and (3) Defendant would not have terminated Plaintiff's employment absent her report of her concerns. Defendant's unlawful termination of Plaintiff was in violation of REDA, N.C. Gen. Stat. § 95-240, *et seq.*, and is a willful violation on the facts of this case. As a result, Plaintiff is entitled to treble damages on the amount the jury allocated to Count IV of the Amended Complaint/Question Three on the Verdict Form.

Accordingly, the jury's verdict of \$464,538 on the REDA claim should be trebled for a total of \$1,393,614 on Count IV/Question Three of the Verdict Form.

Plaintiff requests that the Court grant her Motion for Treble Damages and amend the Judgment to reflect the amount of \$1,393,614 on Count IV of the Amended Complaint/Question Three of the Verdict Form.

Respectfully submitted, this the 2<sup>nd</sup> day of June, 2017.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that this **PLAINTIFF'S MOTION FOR TREBLE DAMAGES UNDER THE NORTH CAROLINA RETALIATORY EMPLOYMENT DISCRIMINATION ACT** was filed electronically and served electronically on the following:

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This the 2<sup>nd</sup> day of June, 2017.

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